

CHAPTER 300

(House Bill 183)

AN ACT concerning

Wiretapping and Electronic Surveillance – Sexual Abuse of a Minor

FOR the purpose of providing that it is lawful for a certain investigative or law enforcement officer or certain other person to intercept a wire, oral, or electronic communication in order to provide evidence of the commission of certain crimes; authorizing a judge, in accordance with certain provisions, to grant an order authorizing the interception of wire, oral, or electronic communications by investigative or law enforcement officers when the interception may provide or has provided evidence of the commission of certain crimes; clarifying certain language; and generally relating to interception of wire, oral, or electronic communications.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10-402 and 10-406

Annotated Code of Maryland

(2002 Replacement Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Courts and Judicial Proceedings

10-402.

(a) Except as otherwise specifically provided in this subtitle it is unlawful for any person to:

(1) Wilfully intercept, endeavor to intercept, or procure any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;

(2) Wilfully disclose, or endeavor to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle; or

(3) Wilfully use, or endeavor to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subtitle.

(b) Any person who violates subsection (a) of this section is guilty of a felony and is subject to imprisonment for not more than 5 years or a fine of not more than \$10,000, or both.